

Minutes

Select Board

Present: Stephanie O’Keeffe, Alisa Brewer, Aaron Hayden, Diana Stein, and Jim Wald

Absent: None

Staff: Town Manager John P. Musante, Sanford Pooler, Claire McGinnis and Sandra Burgess

Other: Sarah and Becky Miller

Meeting called to order by Ms. O’Keeffe at 6:35 p.m.

Public Comment

Brownie Troup leader Sarah Miller and daughter Becky invited the community to participate in an event on the Town Common to celebrate the 100th anniversary of the Girl Scouts on Sunday, March 11, 2012 beginning at 2:45 p.m., immediately followed by a reception at Grace Episcopal Church.

Issuance of Bonds

Finance Director Sandy Pooler and Treasurer Claire McGinnis presented the information for issuance of bonds. Mr. Pooler and Ms. McGinnis answered questions about the bond sale, the re-affirmation of the Town's AA-Stable bond rating by Standard & Poor's, and the 2.16% interest rate achieved on this debt.

Mr. Pooler and Mr. Musante spoke about the bond rating reflecting the Town's sound financial practices, and the cost savings of such a favorable interest rate, and noted that S&P suggested that a rating of AAA could be considered for the future.

VOTED unanimously that the maximum useful life of the portable classrooms for use at the Mark’s Meadow School to be financed with the proceeds of the \$300,000 borrowing authorized by the votes of the Town passed November 17, 2007 (Article 5) and April 28, 2008 (Article 17(C)) is hereby determined pursuant to G.L. c.44, §7(9) to be ten years.

Further VOTED that the sale of the \$4,832,000 General Obligation Municipal Purpose Loan of 2012 Bonds of the Town dated March 15, 2012 (the “Bonds”), to Janney Montgomery Scott LLC at the price of \$4,956,965.86 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on March 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2013	\$297,000	2.00%	2021	\$260,000	2.00%
2014	300,000	2.00	2022	260,000	2.00
2015	295,000	3.00	2023	200,000	2.00
2016	295,000	3.00	2024	200,000	2.00
2017	290,000	3.00	2025	200,000	2.00
2018	290,000	3.00	2026	200,000	2.125
2019	285,000	3.00	2029	600,000	2.40
2020	260,000	3.00	2032	600,000	2.70

Further VOTED that the Bonds maturing on March 15, 2029 and March 15, 2032 (each a “Term Bond”) shall be subject to mandatory redemption or mature as follows:

Term Bond due March 15, 2029

Term Bond due March 15, 2032

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2027	\$200,000	2030	\$200,000
2028	200,000	2031	200,000
2029*	200,000	2032*	200,000

*Final Maturity

Further VOTED that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated February 16, 2012, and a final Official Statement dated March 1, 2012 (the "Official Statement"), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further VOTED that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

Further VOTED that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

Further VOTED that we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds.

Further VOTED that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

Parking Request

VOTED unanimously to approve the reservation of twenty one (21) spaces on the WEST side of Boltwood Ave. between the Spring Street lot and College Street, from 9:00 a.m. to 3:00 p.m. on Saturday, April 14, 2012 for the 3rd Annual Walk and Roll for Aphasia.

Approve Letter to Advocate for Increased State Aid

Select Board reviewed and moved to support and sign the letter to legislators advocating for adding \$65 million dollars to the Governor's proposed Unrestricted General Government Aid figure.

Taxi Driver/Chauffeur Licenses

VOTED unanimously to approve a new 2012 Taxi Driver/Chauffeur license for Frederick P. Kucharski of Hadley MA on behalf of Aarons Transportation.

VOTED unanimously to approve the renewal of a Taxi Driver/Chauffeur license for Oulbeid Hassan of Easthampton, MA on behalf of Tiznet Valley Cab.

Minutes

VOTED unanimously to approve the Select Board meeting minutes of December 5, 2011, December 12, 2011, January 3, 2012, and February 27, 2012, as amended.

Common Victualler Licenses

VOTED unanimously to approve a Common Victualler license for D.J. Summit, Inc. d/b/a Mom's House Chinese Food Market, 318 College Street, Amherst to be open 10 a.m. – 8 p.m. Monday through Saturday and Sundays 11 a.m. – 6 p.m.; Fred Wang, Manager.

VOTED unanimously to approve a Common Victualler license for The New Bruno's Inc., 363 Main Street, Amherst to be open Monday through Sunday 11 a.m. – 2 a.m.; Roula Kofides, Manager.

VOTED unanimously to approve a Common Victualler license for Wheatberry, LLC, 321 Main Street, Amherst to be open Monday through Friday 7:30 a.m. – 5 p.m., Saturday 7:30 a.m. – 4 p.m. and Sundays 9 a.m. – 3 p.m.; Jane Goodall, Manager.

FY13 Budget Discussion

No questions were submitted prior to the meeting. Ms. O'Keeffe noted that the budget proposal provides for level services, which is the result of several years of defining and cutting down to that core level, so policy discussions on this budget have occurred in depth during that process. Mr. Musante spoke about cautious optimism on State revenue, and how February and March numbers will be key, all of which impacts the likelihood of the \$65 million dollar local aid restoration, as encouraged in the Select Board's letter to legislators.

Town Manager Report

Amherst Media Relocation: After assisting Amherst Media over the last year in securing a lease extension from WMECO and in seeking new space, the Town is offering lease of the East Street School as an option for their consideration. Ms. O'Keeffe noted that Town property is under the Town Manager's authority on behalf of the community, and appreciated his sharing the re-use consideration now so that the community might comment. She expressed support for this option, noting the vital linkage between Amherst Media and Town government.

Digital Gaming Conference: A conference about game technology, education and related economic development will be held March 15th at Hampshire College, co-hosted by Congressman Jim McGovern and Lt. Governor Tim Murphy. Mr. Musante will make welcoming remarks on behalf of the Town, as well as serve as a panelist. Western Mass and the Five College region are home to this kind of education and industry already, and ripe for expansion.

Hawthorne Property: The LSSE Commission's and Housing Partnership/Fair Housing Committee's Hawthorne Report has been submitted and is under consideration by Mr. Musante and staff. The report includes recommendations on affordable housing, open space and recreation fields. The affordable housing element will be considered in the context of the feasibility study, expected this spring. These are all steps toward eventual redevelopment of that property, but no decisions have been made, no plans are imminent, and there will be no new funding requests for this project at this spring's Annual Town Meeting.

College Street Property: Referencing the article in this day's paper about the code violations discovered during a noise complaint investigation at a College Street property, which required temporary evictions, Mr. Musante talked about the swift coordinated response by the Police and by inspectors from Public Health, Public Safety and Inspections. Mr. Musante noted that this represents the response model for the Safe and Healthy Neighborhoods initiative. The Select Board inquired about the ability to get the landlord to allow inspections of his other properties in the wake of such an egregious violation, and that is being pursued by the Town; a follow-up report on that issue was requested.

BID: Amherst Business Improvement District held its first meeting last week. Mr. Musante reported plans to recruit and hire an Executive Director are underway and subcommittees were formed to consider

marketing, beautification and parking issues. Mr. Musante will serve on the parking subcommittee and promised more news in the coming weeks and months.

Member Reports: Select Board members provided updates on the activities and schedules of the following committees:

Ms. Stein: Joint Capital Planning Committee and Community Preservation Act Committee;
Mr. Wald: Joint Capital Planning Committee;
Ms. Brewer: Regional School District Study Committee; and
Ms. O’Keeffe: Campus and Community Coalition

The Select Board noted the need to revisit the concept of a Shelter Advisory Committee; item to be added to a future agenda.

Open Meeting Law Update: Ms. Brewer reviewed her memo regarding outstanding issues and questions to be addressed prior to consideration of a Town policy on Remote Participation. The Select Board agreed without formal vote that Ms. Brewer would follow-up on those issues needing clarification from the Attorney General's Office and inquire about the status of other community's course of action, with a goal of reporting at the March 26, 2012 meeting. The Select Board will then consider how to proceed with soliciting feedback on the public policy questions.

No Chair's Report was offered.

The meeting adjourned at 8:09 p.m.

Respectfully Submitted,

John P. Musante, Town Manager

List of Documents Presented at the Meeting & Available in the Online Packet for the Meeting Date

03-05-2012 Agenda Final
03-05-2012 Draft Motions
Finance Director Memo Regarding Bond Sale
Treasurer/Collector Letter for Bond Issue
Standard and Poor’s Rating Report - February 2012
MassDiGI Pioneer Valley
Open Meeting Law Remote Participation – Alisa Brewer
3rd Annual Walk and Roll for Aphasia
Rock and Roll for Aphasia Parking Reservation Request
FY 13 Draft Letter to Legislators Regarding Local Aid
Taxi Driver (Renewal) - Hassan
Taxi Driver (New) - Kucharski
Draft Minutes 2011-12-05
Draft Minutes 2011-12-12
Draft Minutes 2012-01-03
Draft Minutes 2012-02-27
Common Victualler - Moms House Chinese Food Market
Common Victualler - The New Brunos Inc.
Common Victualler - Wheatberry, LLC